IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

SITO MOBILE R&D IP, LLC, and
SITO MOBILE, LTD.,

Plaintiffs,

v.

ZEE ENTERTAINMENT ENTERPRISES
LTD. and ESSEL GROUP,

Defendants.

Case No. 6:21-cv-00505

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs SITO Mobile R&D IP, LLC and SITO Mobile, Ltd. (collectively "SITO"),

by and through its undersigned counsel, files this Complaint against Zee Entertainment

Enterprises Ltd. and Essel Group (collectively "Zee Entertainment" or "Defendants")

for patent infringement of United States Patent Nos. 7,054,949; 7,689,706; 8,825,887;

9,026,673; 9,135,635; 9,135,636; 9,350,777; 9,380,088; 9,591,360; 9,756,362; 10,009,637 and

10,171,846 (collectively, the "patents-in-suit") and alleges as follows:

NATURE OF THE ACTION

1.   This is an action for patent infringement arising under the patent laws of

the United States, 35 U.S.C. §§ 1 *et seq.*

THE PARTIES

2.   Plaintiff SITO Mobile R&D IP, LLC is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business located at 123 Town Square Place, #419, Jersey City, New Jersey 07310.

3.   Plaintiff SITO Mobile, Ltd. is a company organized and existing under the laws of the State of Delaware with its principal place of business located at 123 Town Square Place, #419, Jersey City, New Jersey 07310.

4.   On information and belief, Defendant Zee Entertainment Enterprises Limited ("Zee Entertainment") is a company organized and existing under the laws of India with a corporate and registered office and place of business located at 18th Floor, A-Wing, Marathon Futurex, NM Joshi Marg, Lower Parel, Mumbai, Maharashtra, 400013 India.

5.   On information and belief, Defendant Zee Entertainment does business as "Zee Network."

6.   On information and belief, Defendant Essel Group, also known as Zee Group, is a business conglomerate holding company organized under the laws of India with a corporate and registered office and place of business located at 18th Floor, A-Wing, Marathon Futurex, NM Joshi Marg, Lower Parel, Mumbai, Maharashtra, 400013 India.

7.   On information and belief, Defendants act in concert to design, manufacture, sell, offer for sale, import, distribute, advertise, and/or otherwise promote

the accused infringing method, products and services in the United States, the State of

Texas, and this judicial district.

JURISDICTION AND VENUE

8.   This Court has subject matter jurisdiction over this action pursuant to 28

U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United

States, 35 U.S.C. §§ 1 *et seq.*

9.   Defendants are subject to this Court's personal jurisdiction in accordance

with due process and/or the Texas Long Arm Statute because, in part, Defendants have

"commit[ted] a tort in whole or in part in this state." *See* Tex. Civ. Prac. & Rem. Code §

17.042.

10.   This Court has personal jurisdiction over Defendants because Defendants

(directly and/or through its subsidiaries, affiliates, or intermediaries) have committed

and continue to commit acts of infringement in this judicial district in violation of at

least 35 U.S.C. § 271(a).

11.   This Court also has personal jurisdiction over Defendants because

Defendants have sufficient minimum contacts with this forum as a result of business

conducted within the State of Texas and this judicial district. In particular, this Court

has personal jurisdiction over Defendants because, *inter alia*, Defendants, on

information and belief (directly and/or through its subsidiaries, affiliates, or

intermediaries), have substantial, continuous, and systematic business contacts in this

judicial district, and derive substantial revenue from goods and services provided to

individuals in the State of Texas and this judicial district.

12.   Defendants (directly and/or through its subsidiaries, affiliates, or intermediaries) have purposefully availed themselves of the privileges of conducting business within the State of Texas and in this judicial district, has established sufficient minimum contacts with this judicial district such that it should reasonably and fairly anticipate being hauled into court in this judicial district, has purposefully directed activities at residents of this judicial district, and at least a portion of the patent infringement claims alleged in this Complaint arise out of or are related to one or more of the foregoing activities.

13.   Venue is proper as to Defendants, which are organized under the laws of India. 28 U.S.C. § 1391(c)(3) provides that "a defendant not resident in the United States may be sued in any judicial district, and the joinder of such a defendant shall be disregarded in determining where the action may be brought with respect to other defendants."

ZEE ENTERTAINMENT'S VIDEO STREAMING SERVICE

14.   ZEE Entertainment offers a subscription-based streaming service that provides video programming over the Internet.[1]

15.   ZEE Entertainment's streaming service offers "the viewers instant and unlimited access to a wide variety of Bollywood entertainment and original content from the ZEE suite of television networks. Users will enjoy a large library filled with

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[1] https://www.zeetvusa.com/
  https://apps.apple.com/us/app/zee-family/id932704754

hundreds of classic and new Bollywood films and will have access to episodes of classic

ZEE shows. Watch more than 30 + channels from the ZEE TV suite of networks all live,

available 24/7. ZEE Family's unique Catch-Up TV feature allows viewers to watch

missed episodes of ZEE TV shows going back up to 30 days. Catch-Up TV is available

on more than 30 ZEE channels such as ZEE TV, ZEE Cinema, ZEE Business etc. ZEE

Family also offers classic ZEE TV shows that are no longer on air. Relive the golden era

of television by re-watching some of your favorite ZEE TV shows from the past. ZEE

Family plays home to a host of regional channels in languages including Marathi,

Bengali, Kannada, Telugu, Tamil, Urdu etc. Local news buffs can enjoy our news

channels such as ZEE News, ZEE Business, ZEE MP/Chhattisgarh, ZEE Kalinga and

ZEE Marudhara. For streaming video on the go, look no further than ZEE Family TV,

from VOD to Live TV to Catch-Up, the product offers features that are truly ahead of

the tech-curve."[2]

16.   ZEE Entertainment users can access its services through different devices

like TVs, phones and tablets.[3]

17.   ZEE Entertainment provides the streaming services by providing varied

subscription plans to its customers.

18.   ZEE Entertainment streams videos using a network(s) of servers ("ZEETV

Streaming Platform"). On information and belief, the ZEETV Streaming Platform uses

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[2] https://apps.apple.com/us/app/zee-family/id932704754

[3] https://www.zee.com/in-the-news/zeefamilytv-now-available-on-roku-streaming-devices-worldwide/

Dynamic Adaptive Streaming over HTTP (MPEG-DASH) and/or HTTP Live Streaming (HLS) protocols to stream video content. MPEG-DASH and HLS are HTTP-based adaptive bitrate streaming techniques that enable high quality streaming of media content over the Internet from web servers. The operation of MPEG-DASH and HLS are described in standards documents.[4]

19.   With MPEG-DASH and HLS, a video may be broken up into thousands of small HTTP-based file segments. Each segment contains a short interval of playback time of the video. The segments are encoded at a variety of different bit rates (speeds). After a subscriber selects a video to stream, the media player on the subscriber device is provided with a file that informs the player, amongst other things, how to obtain the segments sequentially and how to handle ad breaks (if any). As the video is playing, the subscriber device determines the bit rate that it can handle and requests a segment(s) encoded at that bit rate. The player plays the segments in sequential order and continuously requests segments until the player has received all of the segments that make up the video.

THE PATENTS-IN-SUIT

United States Patent No. 7,054,949

20.   On May 30, 2006, the USPTO duly and legally issued United States Patent No. 7,054,949 ("the '949 patent") entitled "System and Method for Streaming Media" to inventor Charles A. Jennings et al.

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[4] The MPEG-DASH standard is available at https://www.iso.org/ics/35.040.40/x/. A copy of the HLS standard is attached hereto as Exhibit 1.

21.   The '949 patent is presumed valid under 35 U.S.C. § 282.

22.   SITO owns all rights, title and interest in the '949 patent.

United States Patent No. 7,689,706

23.   On March 30, 2010, the USPTO duly and legally issued United States

Patent No. 7,689,706 ("the '706 patent") entitled "System and Method for Streaming

Media" to inventor Charles A. Jennings et al.

24.   The '706 patent is presumed valid under 35 U.S.C. § 282.

25.   SITO owns all rights, title and interest in the '706 patent.

United States Patent No. 8,825,887

26.   On September 2, 2014, the USPTO duly and legally issued United States

Patent No. 8,825,887 ("the '887 patent") entitled "System and Method for Streaming

Media" to inventor Charles A. Jennings et al.

27.   The '887 patent is presumed valid under 35 U.S.C. § 282.

28.   SITO owns all rights, title and interest in the '887 patent.

United States Patent No. 9,026,673

29.   On May 5, 2015, the USPTO duly and legally issued United States Patent

No. 9,026,673 ("the '673 patent") entitled "System and Method for Routing Media" to

inventor Charles A. Jennings et al.

30.   The '673 patent is presumed valid under 35 U.S.C. § 282.

31.   SITO owns all rights, title and interest in the '673 patent.

United States Patent No. 9,135,635

32.   On September 15, 2015, the USPTO duly and legally issued United States Patent No. 9,135,635 ("the '635 patent") entitled "System and Method for Routing Media" to inventor Charles A. Jennings et al.

33.   The '635 patent is presumed valid under 35 U.S.C. § 282.

34.   SITO owns all rights, title and interest in the '635 patent.

United States Patent No. 9,135,636

35.   On September 15, 2015, the USPTO duly and legally issued United States Patent No. 9,135,636 ("the '636 patent") entitled "System and Method for Routing Media" to inventor Charles A. Jennings et al.

36.   The '636 patent is presumed valid under 35 U.S.C. § 282.

37.   SITO owns all rights, title and interest in the '636 patent.

United States Patent No. 9,350,777

38.   On May 24, 2016, the USPTO duly and legally issued United States Patent No. 9,350,777 ("the '777 patent") entitled "System and Method for Routing Media" to inventor Charles A. Jennings et al.

39.   The '777 patent is presumed valid under 35 U.S.C. § 282.

40.   SITO owns all rights, title and interest in the '777 patent.

United States Patent No. 9,380,088

41.   On June 28, 2016, the USPTO duly and legally issued United States Patent No. 9,380,088 ("the '088 patent") entitled "System and Method for Routing Media" to inventor Charles A. Jennings et al.

42.   The '088 patent is presumed valid under 35 U.S.C. § 282.

43.   SITO owns all rights, title and interest in the '088 patent.

United States Patent No. 9,591,360

44.   On March 7, 2017, the USPTO duly and legally issued United States Patent

No. 9,591,360 ("the '360 patent") entitled "System and Method for Routing Media" to

inventor Charles A. Jennings et al.

45.   The '360 patent is presumed valid under 35 U.S.C. § 282.

46.   SITO owns all rights, title and interest in the '360 patent.

United States Patent No. 9,756,362

47.   On September 5, 2017, the USPTO duly and legally issued United States

Patent No. 9,756,362 ("the '362 patent") entitled "System and Method for Routing

Media" to inventor Charles A. Jennings et al.

48.   The '362 patent is presumed valid under 35 U.S.C. § 282.

49.   SITO owns all rights, title and interest in the '362 patent.

United States Patent No. 10,009,637

50.   On June 26, 2018, the USPTO duly and legally issued United States Patent

No. 10,009,637 ("the '637 patent") entitled "System and Method for Routing Media" to

inventor Charles A. Jennings et al.

51.   The '637 patent is presumed valid under 35 U.S.C. § 282.

52.   SITO owns all rights, title and interest in the '637 patent.

United States Patent No. 10,171,846

53.   On January 1, 2019, the USPTO duly and legally issued United States Patent No. 10,171,846 ("the '846 patent") entitled "System and Method for Routing Media" to inventor Charles A. Jennings et al.

54.   The '846 patent is presumed valid under 35 U.S.C. § 282.

55.   SITO owns all rights, title and interest in the '846 patent.

CLAIMS FOR RELIEF

Count I – Infringement of United States Patent No. 7,054,949

56.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth here, the preceding paragraphs of this Complaint.

57.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '949 patent by using the method recited in at least claim 49 of the '949 patent.

58.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 49 of the '949 patent.

59.   The ZEETV Streaming Platform performs a method of streaming video. The ZEETV Streaming Platform receives a request (e.g., GET request) for media (e.g., television program or movie) and in response builds a reservation having a reservation identification (e.g., Etag, session tokens) for the request.

60.   The ZEETV Streaming Platform receives, at a routing processor identification (e.g., Origin), reservation data comprising a valid reservation identification (e.g., Etag, session token) and a media identification (e.g., file name) and determining if a media switch (e.g., CDN server/cache) is configured to stream media for the request.

61.   On information and belief, the ZEETV Streaming Platform transmits the reservation data (e.g., reservation identification unique to the user and media) to the media switch (e.g., Media streaming servers, CDN server/cache) if the media switch is configured, at least initially, to stream media (e.g., television program or movie) for the request (e.g., GET request).

62.   On information and belief, ZEETV's uses a CDN, Amazon CloudFront, that receives the reservation identification (e.g., Etag, session tokens, cookies) at the media switch (e.g., media streaming servers, CDN server/cache).

63.   The ZEETV streaming platform requires Amazon CloudFront (e.g., CDN)[5] to process the reservation identification and the reservation data to determine if the reservation identification (e.g., Etag) is valid.

64.   The ZEETV Streaming Platform requires Amazon CloudFront to stream at least partial media for the request if the reservation identification (e.g., Etag) is valid.

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[5] https://aws.amazon.com/blogs/media/zee5-inserts-millions-of-ads-in-live-and-vod-content-using-aws/

65.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count II – Infringement of United States Patent No. 7,689,706

66.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth here, the preceding paragraphs of this Complaint.

67.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '706 patent by using the method covered by at least claim 5 of the '706 patent.

68.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 5 of the '706 patent.

69.   The ZEETV Streaming Platform performs a method of streaming video. The ZEETV Streaming Platform receives at a service processor (e.g., ZEETV server(s)), media (e.g., television program or movie), at least one media rule (e.g., geographic restriction on content) indicating at least one of a plurality of media switches (e.g., edge servers or Media distribution servers) to which the media is to be distributed, and at least one order rule (e.g., revenue sharing) indicating settlement for streamed media.

70.   The ZEETV Streaming Platform distributes the media from the service processor (e.g., ZEETV server(s)) to the at least one media switch (e.g., Edge servers or

Media Distribution servers) according to the media rule (e.g., Geographic Restriction on content).

71.   On information and belief, the ZEETV Streaming Platform transmits a media identification for the media and the order rule to the at least one media switch.

72.   On information and belief, the ZEETV Streaming Platform receives signaling from a viewer (e.g., Client Device) at a management system (e.g., ZEETV Server(s)), the signaling comprising the media request (e.g., GET request) that identifies a requested media.

73.   On information and belief, the ZEETV Streaming Platform builds a reservation (e.g., connection, session) for the requested media at a reservation server (e.g., Reservation module running on ZEETV server(s)), the reservation comprising a reservation identification (e.g., Etag, session token, auth token, etc.) and the media identification (e.g., Filename) for the requested media.

74.   The ZEETV Streaming Platform receives at least one information block identifying the reservation identification (e.g., Etag, session token, auth token, etc.) and identifies streaming for at least some of the requested media from the at least one media switch (e.g., Media streaming server) to the viewer (e.g., client device).

75.   On information and belief, the ZEETV Streaming Platform processes the information block with the reservation identification (e.g., Etag, session token, auth token, etc.) and according to the order rule (e.g., Revenue Sharing) to generate a settlement record.

76.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count III – Infringement of United States Patent No. 8,825,887

77.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth here, the preceding paragraphs of this Complaint.

78.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '887 patent by using the method covered by at least claim 39 of the '887 patent.

79.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 39 of the '887 patent.

80.   The ZEETV Streaming Platform performs a method of streaming video. The ZEETV Streaming Platform receives, by at least one computing device (e.g., server(s)) via a communication network (e.g., the Internet), a request (e.g., GET request) for media (e.g., television program or movie) from at least one communication device (e.g., client device such as a personal computer, mobile device, and/or television) capable of using instructions (e.g., contained within an M3U8/MPD file(s)) received from the at least one computing device to obtain at least one portion of the requested

media using at least one resource (e.g., streaming server(s)) other than the at least one computing device.

81.   The ZEETV Streaming Platform identifies, at the at least one computing device (e.g., ZEETV server(s)), whether the requested media (e.g., television program or movie) is available for streaming to the at least one communication device (e.g., client device, such as a personal computer, mobile device, television) in accordance with at least one program.

82.   The ZEETV Streaming Platform generates, at the at least one computing device (e.g., ZEETV server(s)) based on the at least one program, one or more capabilities (e.g., type of communication device, operating system, browser, and/or media player) of the communication device, and at least one characteristic associated with a user of the communication device, (i) at least one list (e.g., M3U8/MPD playlist) identifying at least a portion of the requested media (e.g., television program or movie), (ii) at least one identification (e.g., host name) of the at least one resource (e.g., media streaming server(s)) other than the at least one computing device (e.g., ZEETV server(s)) available to facilitate streaming of the at least one portion of the requested media, and (iii) one or more instructions (e.g., segment/file structure) as to how the at least one portion of the requested media is to be streamed to the communication device.

83.   The ZEETV streaming platform transmits, the at least one list (e.g., M3U8/MPD playlist), the least one identification (e.g., host name) of the at least one resource (e.g., media streaming server(s)), and the one or more instructions (e.g.,

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segment/file structure) from the at least one computing device (e.g., ZEETV server(s))

to the at least one communication device via the communication network.

84.   On information and belief, the ZEETV streaming platform identifies at

least one revenue sharing rule for sharing between at least two parties at least a

percentage of revenue generated by streaming the at least the portion of the requested

media (e.g., television program or movie).

85.   On information and belief, the ZEETV streaming platform generates at

least one settlement record based on the at least one revenue sharing rule for sharing

between the at least two parties the at least the percentage of revenue generated by

streaming the at least the portion of the requested media (e.g., television program or

movie).

86.   SITO has been damaged by the direct infringement of ZEE Entertainment,

and is suffering and will continue to suffer irreparable harm and damages as a result of

this infringement.

Count IV – Infringement of United States Patent No. 9,026,673

87.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth

herein, the preceding paragraphs of this Complaint.

88.   ZEE Entertainment directly infringes (literally and/or under the doctrine

of equivalents) the '673 patent by using the method covered by at least claim 1 of the

'673 patent.

89.   On information and belief, and without SITO's approval, authorization

and license, ZEE Entertainment controls, operates and uses a system for streaming

media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 1 of the '673 patent.

90. The ZEETV Streaming Platform performs a method of streaming video. The ZEETV Streaming Platform receives, by at least one computing device (e.g., server(s)) via a communication network (e.g., the Internet), a request (e.g., GET request) for media (e.g., television program or movie) from at least one communication device (e.g., client device such as a personal computer, mobile device, and/or television) capable of using instructions (e.g., contained within an M3U8/MPD file(s)) received from the at least one computing device to obtain at least one portion of the requested media using at least one resource (e.g., streaming server(s)) other than the at least one computing device.

91. The ZEETV Streaming Platform determines, by the at least one computing device (e.g., server(s)), whether the at least one portion of the requested media (e.g., video segment(s)) is available for streaming in accordance with at least one program comprising at least one media selector (e.g., rules/instructions) defining how to select at least one other media (e.g., advertisement).

92. On information and belief, the ZEETV Streaming Platform includes a media selector for an advertisement in an M3U8/MPD file(s). A server in the ZEETV Streaming Platform determines the at least one other media based on the at least one media selector.

93.   The ZEETV Streaming Platform generates, by the at least one computing device and based on one or more capabilities (e.g., type of device (e.g., PC), operating system, browser and/or media player) of the communication device, at least one play script (e.g., at least one M3U8/MPD file).

94.   The M3U8/MPD file(s) includes: (i) an identification (e.g., segment information/segment file name) of the at least one portion of the requested media, (ii) an identification (e.g., identification of one or more ad breaks between video segments) of the at least one other media (e.g., advertisement), (iii) a reservation identification (e.g., authentication token) associated with the request for media, (iv) at least one universal resource locator (URL) associated with at least one of the identification of the at least one portion of the requested media and the identification of the at least one other media, the at least one URL including at least one identification (e.g., host name) of at least one resource (e.g., streaming server(s)) other than the at least one computing device available to facilitate streaming of at least one of the at least one portion of the requested media and the at least one other media, and (v) one or more instructions for use by the communication device together with the at least one URL and the reservation identification to enable the at least one communication device to obtain the at least one portion of the requested media and the at least one other media.

95.   The ZEETV Streaming Platform transmits, by the at least one computing device to the communication device, the at least one play script to enable the communication device to obtain the at least one portion of the requested media and the

at least one other media via the communication network using the at least one resource

other than the at least one computing device.

96.   SITO has been damaged by the direct infringement of ZEE Entertainment,

and is suffering and will continue to suffer irreparable harm and damages as a result of

this infringement.

Count V – Infringement of United States Patent No. 9,135,635

97.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth

herein, the preceding paragraphs of this Complaint.

98.   ZEE Entertainment directly infringes (literally and/or under the doctrine

of equivalents) the '635 patent by using the method covered by at least claim 1 of the

'635 patent.

99.   On information and belief, and without SITO's approval, authorization

and license, ZEE Entertainment controls, operates and uses a system for streaming

media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment

networks, systems, devices and/or services for streaming media, that practices and

infringes the media streaming method recited in at least claim 1 of the '635 patent.

100.   The ZEETV Streaming Platform performs a method of streaming media.

The ZEETV Streaming Platform receives, by at least one computing device (e.g.,

server(s)) via a communication network (e.g., the Internet), a request (e.g., GET request)

for media (e.g., television program or movie) from a communication device (e.g., client

device such as a personal computer, mobile device, and/or television). The at least one

computing device comprises a combination of hardware and software.

101.   The ZEETV Streaming Platform determines, by the at least one computing device, at least one portion of the requested media (e.g., video segment(s)) to be streamed to the communication device.

102.   The ZEETV Streaming Platform transmits, by the at least one computing device for reception by the communication device, at least one play script (e.g., M3U8/MPD file(s)) including: (i) at least one identification (e.g., segment information/segment file name) of the at least one portion of the requested media, (ii) an indication (e.g., identification of one or more ad breaks between video segments) that an advertising media clip is to be streamed to the communication device, (iii) at least one universal resource locator (URL) associated with the identification of the at least one portion of the requested media, the at least one URL including at least one identification (e.g., host name) of at least one resource (e.g., streaming server(s)) other than the at least one computing device to facilitate streaming of the at least one portion of the requested media, and (iv) one or more instructions for use by the communication device together with the at least one URL to cause the at least one portion of the requested media to be streamed to the communication device.

103.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count VI – Infringement of United States Patent No. 9,135,636

104.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

105.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '636 patent by using the method covered by at least claim 1 of the '636 patent.

106.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 1 of the '636 patent.

107.   The ZEETV Streaming Platform performs a method of streaming media. The ZEETV Streaming Platform receives, by at least one computing device (e.g., server(s)) via a communication network (e.g., the Internet), a request (e.g., GET request) for media (e.g., television program or movie) from a communication device (e.g., client device such as a personal computer, mobile device, and/or television), capable of using instructions (e.g., contained within an M3U8/MPD file(s)) received from the at least one computing device to obtain at least one portion of the requested media (e.g., video segment(s)) using at least one resource (e.g., streaming server(s)) other than the at least one computing device.

108.   The ZEETV Streaming Platform generates, by the at least one computing device, at least one play script (e.g., M3U8/MPD file(s)) including: (i) at least one identification (e.g., segment information/segment file name) of the at least one portion of the requested media, (ii) a reservation identification (e.g., authentication token) associated with the request for media, (iii) at least one universal resource locator (URL)

associated with the at least one identification of the at least one portion of the requested

media, the at least one URL including at least one identification (e.g., host name) of the

at least one resource (e.g., streaming server(s)) other than the at least one computing

device available to facilitate streaming of at least one of the at least one portion of the

requested media, and (iv) one or more instructions for use by the communication device

together with the at least one URL and the reservation identification to enable the

communication device to obtain the at least one portion of the requested media.

109.   The ZEETV Streaming Platform transmits, by the at least one computing

device to the communication device, the at least one play script to enable the

communication device to obtain the at least one portion of the requested media via the

communication network using the at least one resource other than the at least one

computing device.

110.   SITO has been damaged by the direct infringement of ZEE Entertainment,

and is suffering and will continue to suffer irreparable harm and damages as a result of

this infringement.

Count VII – Infringement of United States Patent No. 9,350,777

111.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth

herein, the preceding paragraphs of this Complaint.

112.   ZEE Entertainment directly infringes (literally and/or under the doctrine

of equivalents) the '777 patent by using the method covered by at least claim 59 of the

'777 patent.

113.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 59 of the '777 patent.

114.   The ZEETV Streaming Platform performs a media streaming management method. The ZEETV Streaming Platform receives, by at least one computing device (e.g., server(s)) comprising a combination of hardware and software, a request (e.g., GET request) to receive media (e.g., television program or movie) from at least one communication device (e.g., client device such as a personal computer, mobile device, and/or television) capable of playing the requested media.

115.   In response to the request for media and based on one or more attributes (e.g., type of device (e.g., PC), operating system, browser and/or media player) of the communication device and one or more rules associated with the requested media, the ZEETV Streaming Platform transmits (e.g., within an M3U8/MPD file(s)), to the communication device by the at least one computing device over a communication network (e.g., the Internet), (i) at least one identification (e.g., segment information/segment file name) of the at least one portion of the requested media (video segment(s)), (ii) at least one identification (e.g., host name) of at least one resource (e.g., streaming server(s)) other than the at least one computing device to facilitate streaming of the at least one portion of the requested media, (iii) information (e.g., segment information/segment file name, title identifier of the segment, type of file

of the segment, and/or format of the segment) for use by the communication device as to how the at least one portion of the requested media is to be presented to a user of the communication device, and (iv) a unique identifier (e.g., user ID and additional identifier information) for use by at least the communication device to enable the at least one portion of the requested media to be streamed to the communication device.

116.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count VIII – Infringement of United States Patent No. 9,380,088

117.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

118.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '088 patent by using the method covered by at least claim 36 of the '088 patent.

119.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 36 of the '088 patent.

120.   The ZEETV Streaming Platform performs a media streaming management method. The ZEETV Streaming Platform receives, by at least one computing device (e.g., server(s)) comprising a combination of hardware and software, a request (e.g.,

GET request) for media (e.g., television program or movie) from a communication

device (e.g., client device such as a personal computer, mobile device, and/or

television) capable of playing the requested media.

121.   In response to the request for media and based on one or more attributes

(e.g., type of device (e.g., PC), operating system, browser and/or media player) of the

communication device and one or more rules associated with the requested media, the

ZEETV Streaming Platform transmits (e.g., within an M3U8/MPD file(s)), from the at

least one computing device to the communication device over a communication

network (e.g., the Internet), (i) at least one identification (e.g., segment

information/segment file name) of at least one portion of the requested media (e.g.,

video segment(s)), (ii) an indication (e.g., identification of one or more ad breaks

between video segments) that at least one advertising media clip is to be streamed to

the communication device, (iii) at least one identification (e.g., host name) of at least one

resource (e.g., streaming server(s)) other than the at least one computing device

available to facilitate streaming of the at least one portion of the requested media, and

(iv) information (e.g., segment information/segment file name, title identifier of the

segment, type of file of the segment, and/or format of the segment) for use by the

communication device as to how the at least one portion of the requested media and the

at least one advertising media clip are to be presented to a user of the communication

device.

122.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count IX – Infringement of United States Patent No. 9,591,360

123.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

124.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '360 patent by using the method covered by at least claim 15 of the '360 patent.

125.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 15 of the '360 patent.

126.   The ZEETV Streaming Platform performs a media streaming management method. The ZEETV Streaming Service receives from a client device (e.g., personal computer, mobile device, television) via a packet-based telecommunication network (e.g., the Internet) signaling (e.g., GET request) to have video content (e.g., television program or movie) streamed to the client device.

127.   On information and belief, in response to the received signaling (e.g., GET request), the ZEETV Streaming Service generates an identifier (e.g., session ID, etag,

authentication token etc.) uniquely associated with the client device (e.g., personal computer, mobile device, television) and a viewing session for the video content.

128.   The ZEETV streaming platform transmits, to the client device, via the packet-based telecommunication network (e.g., Internet) and in one or more files (e.g., M3U8/MPD file(s)), each of the one or more files being in a format compatible with a media player on the client device (e.g., client device such as a personal computer, mobile device, and/or television), (i) an indication (e.g., segment information/segment file name) of one or more segments of the video content, (ii) a URL (including an identification of one or more resources (e.g., host name) of a content distribution network available to facilitate streaming of the one or more segments to the client device, (iii) information instructing the client device how to communicate with the one or more resources of the content distribution network to cause the plurality of segments to be streamed to the client device by the content distribution network, (iv) information instructing the client device how to communicate with an advertising server to cause one or more advertisements to be streamed from the advertising server to the client device in sequence with the streaming of the plurality of segments to the client device by the content distribution network, and (v) the identifier (e.g., session ID, etag, authentication token etc.).

129.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count X – Infringement of United States Patent No. 9,756,362

130.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

131.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '362 patent by using the method covered by at least claim 1 of the '362 patent.

132.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 1 of the '362 patent.

133.   The ZEETV Streaming Platform performs a media streaming management method. The ZEETV Streaming Platform receives video content (e.g., television program or movie) from video content owner.

134.   The ZEETV Streaming Platform stores the received videos content (e.g., television program or movie) in a plurality of geographically separated resources (e.g., media streaming servers) of a content distribution network (e.g., distributed network of servers).

135.   The ZEETV Streaming Platform receives, from the client device (e.g., personal computer, mobile device, television) via a packet-based telecommunication network (e.g., Internet), signaling (e.g., GET request) to have the stored video content

(e.g., television program or movie) streamed to the client device from one or more of the resources of the content distribution network.

136.   In response to the received signaling (e.g., GET request), the ZEETV Streaming Platform transmits one or more files (e.g., (M3U8/MPD)) to the client device (e.g., personal computer, mobile device, television) over the packet-based telecommunication network (e.g., the Internet).

137.   The M3U8/MPD includes an identification (e.g., URL that resolves an IP address) of one or more of the resources (e.g., media streaming server(s)) of the content distribution network available to facilitate streaming of one or more segments of the stored video content (e.g., television program or movie) to the client device (e.g., personal computer, mobile device, television), the identification is dependent at least in part on a relationship between a geographic location of the client device and geographic locations (e.g., CDNs) of the resources of the content distribution network.

138.   The M3U8/MPD includes an identification of an advertising server, the identification of the advertising server being dependent at least in part on a relationship between the geographic location (e.g., CDNs) of the client device (e.g., personal computer, mobile device, television) and a geographic location of the advertising server.

139.   The M3U8/MPD causes the client device to communicate with resources (e.g., media streaming servers) of the content distribution network and the advertising server to cause the one or more segments of the stored video (e.g., television program or movie) to be streamed to the client device (e.g., personal computer, mobile device, television) by the identified one or more resources of the content distribution network

and cause one or more advertisements to be streamed from the advertising server to the client device.

140.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count XI – Infringement of United States Patent No. 10,009,637

141.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

142.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '637 patent by using the method covered by at least claim 1 of the '637 patent.

143.   On information and belief, and without SITO's approval, authorization and license, ZEE Entertainment controls, operates and uses a system for streaming media that includes the ZEETV Streaming Platform, as well as other ZEE Entertainment networks, systems, devices and/or services for streaming media, that practices and infringes the media streaming method recited in at least claim 1 of the '637 patent.

144.   The ZEETV Streaming Platform performs a method for managing streaming of video content (e.g., television program or movie) to a client device (e.g., personal computer, mobile device, and/or television). The ZEETV Streaming Platform provides the video content to a content distribution network (e.g., content delivery network (CDN)) for storage in a plurality of geographically separated resources (e.g.,

streaming servers located throughout the United States) of the content distribution network.

145.   A server(s) receives, from the client device via a packet-based telecommunication network (e.g., the Internet), signaling (e.g., GET request) to have the stored video content streamed to the client device.

146.   In response to the received signaling, a server transmits one or more files (e.g., M3U8/MPD file(s)) to the client device via the packet-based telecommunication network, each of the one or more files being in a format compatible with a media player on the client device, the one or more files comprising (i) an identification (e.g., host name) of one or more of the resources (e.g., streaming server(s)) of the content distribution network available to facilitate streaming of one or more segments of the stored video content to the client device, the identification being dependent at least in part on a relationship between a geographic location of the client device and geographic locations of the resources of the content distribution network (e.g., the host name will resolve an IP address of a streaming server of a CDN that is geographically close to the client device), and (ii) an identification (e.g., host name) of an advertising server, the identification of the advertising server being dependent at least in part on a relationship between the geographic location of the client device and a geographic location of the advertising server (e.g., on information and belief, the host name will resolve an IP address of an advertising server that is geographically close to the client device).

147.   The one or more files, when processed by the client device, cause the client device to communicate with the identified one or more resources of the content

distribution network and the advertising server to cause the one or more segments of the stored video to be streamed to the client device by the identified one or more resources of the content distribution network and cause one or more advertisements to be streamed from the advertising server to the client device.

148.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

Count XII – Infringement of United States Patent No. 10,171,846

149.   SITO repeats, re-alleges, and incorporates by reference, as if fully set forth herein, the preceding paragraphs of this Complaint.

150.   ZEE Entertainment directly infringes (literally and/or under the doctrine of equivalents) the '846 patent by using the method covered by at least claim 1 of the '846 patent.

151.   The ZEETV system that infringes one or more claims of the '846 patent includes, but is not limited to, the ZEETV Streaming Platform, and any other ZEETV network, system, device, and/or service that practices a method for managing streaming of video content as claimed in the '846 patent.

152.   The ZEETV Streaming Platform performs a method for managing streaming of video content (e.g., television program or movie) to a client device (e.g., personal computer, mobile device, and/or television). The ZEETV Streaming Platform provides the video content to a content distribution network (e.g., content delivery network (CDN)) for storage in a plurality of geographically separated resources (e.g.,

streaming servers located throughout the United States) of the content distribution network.

153. On information and belief, the ZEETV Streaming Platform dynamically selects one or more advertisement media clips (e.g., targeted advertisement(s)) based on statistical information (e.g., user interest/behavior, demographics) associated with a user of the client device.

154. A server receives, from the client device (e.g., personal computer, mobile device, and/or television) via a packet-based telecommunication network (e.g., the Internet), signaling (e.g., GET request) to have the stored video content streamed to the client device.

155. In response to the received signaling, a server transmits to the client device, via the packet-based telecommunication network and in one or more files (e.g., M3U8/MPD file(s)) having a format compatible with a media player on the client device, (i) an identification (e.g., host name) of one or more of the resources (e.g., streaming server(s)) of the content distribution network available to facilitate streaming of one or more segments of the stored video content to the client device, the identification being dependent at least in part on a relationship between a geographic location of the client device and geographic locations of the resources of the content distribution network (e.g., the host name will resolve an IP address of a streaming server of a CDN that is geographically close to the client device), and (ii) an identification (e.g., host name) of an advertising server, the identification of the advertising server being dependent at least in part on a relationship between the

geographic location of the client device and a geographic location of the advertising server (e.g., on information and belief, the host name will resolve an IP address of an advertising server that is geographically close to the client device).

156.   The one or more files, when processed by the client device, cause the client device to communicate with the identified one or more resources of the content distribution network and the advertising server to cause the one or more segments of the stored video to be streamed to the client device by the identified one or more resources of the content distribution network and cause the one or more selected advertisement media clips to be streamed from the advertising server to the client device.

157.   SITO has been damaged by the direct infringement of ZEE Entertainment, and is suffering and will continue to suffer irreparable harm and damages as a result of this infringement.

JURY DEMANDED

158.   Pursuant to Federal Rule of Civil Procedure 38(b), SITO hereby requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

SITO respectfully requests this Court to enter judgment in SITO's favor and against ZEE Entertainment as follows:

a.   finding that ZEE Entertainment directly infringes one or more claims of each of the patents-in-suit;

b.   awarding SITO damages under 35 U.S.C. § 284, or otherwise permitted by

law, including supplemental damages for any continued post-verdict

infringement;

c.   awarding SITO pre-judgment and post-judgment interest on the damages

award and costs;

d.   awarding cost of this action (including all disbursements) and attorney

fees pursuant to 35 U.S.C. § 285, or as otherwise permitted by the law; and

e.   awarding such other costs and further relief that the Court determines to

be just and equitable.

Dated: May 18, 2021

Of Counsel: /s/Raymond W. Mort, III

Ronald M. Daignault*#   Raymond W. Mort, III
rdaignault@daignaultiyer.com   Texas State Bar No. 00791308
Chandran B. Iyer*   THE MORT LAW FIRM, PLLC
cbiyer@daignaultiyer.com   raymort@austinlaw.com
Jason S. Charkow*#   100 Congress Avenue, Suite 2000
jcharkow@daignaultiyer.com   Austin, Texas 78701
Stephanie R. Mandir*   Tel/Fax: 512-865-7950
smandir@daignaultiyer.com   raymort@austinlaw.com
DAIGNAULT IYER LLP
8618 Westwood Center Drive
Suite 150
Vienna, VA 22182

                                               *Attorneys for SITO Mobile R&D IP, LLC
                                               and SITO Mobile, Ltd.*

* *pro hac vice* motion to be filed

Not admitted to practice in Virginia

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